

EXHIBIT 1

INTRODUCTION

Respondent Suzanne Levoe ("Respondent") is a member of the City of Sierra Madre Planning Commission. Respondent assumed office on June 28, 1999. As a planning commissioner, Respondent is required by section 87203 of the Political Reform Act (the "Act")¹ to file an annual statement of economic interests ("SEI"), disclosing the reportable economic interests that she held during the preceding calendar year.

In this matter, Respondent failed to timely file an annual SEI for 2001, by April 2, 2002, and an annual SEI for 2002, by April 1, 2003.

For the purposes of this Stipulation, Respondent's violations of the Act are stated as follows:

Count 1: As a member of the City of Sierra Madre Planning Commission, Respondent Suzanne Levoe failed to timely file a 2001 annual statement of economic interests by the April 2, 2002 due date, in violation of section 87203 of the Government Code.

Count 2: As a member of the City of Sierra Madre Planning Commission, Respondent Suzanne Levoe failed to timely file a 2002 annual statement of economic interests by the April 1, 2003 due date, in violation of section 87203 of the Government Code.

SUMMARY OF THE LAW

An express purpose of the Act, as set forth in section 81002, subdivision (c), is to ensure that the assets and income of public officials, which may be materially affected by their official actions, be disclosed, so that conflicts of interest may be avoided.

In furtherance of this purpose, section 87203 requires every individual who holds an office listed in section 87200 to file, at a time specified in the Commission's regulations, an annual statement disclosing his or her investments, interests in real property and income during the period since the previous statement was filed. "Members of planning commissions" is one of the offices listed in section 87200.

Regulation 18723, subdivision (b)(2) provides that the deadline for filing an annual SEI for city planning commissioner is April 1 of each year (unless April 1 falls on a Saturday,

¹ The Political Reform Act is contained in Government Code sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in sections 18109 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

Sunday, or official holiday, in which case the filing deadline is extended to the next regular business day).²

SUMMARY OF THE FACTS

Respondent Suzanne Levoe has been a member of the City of Sierra Madre Planning Commission since June 28, 1999. As a planning commissioner, Respondent is required to file an annual SEI, disclosing the reportable economic interests she held during the preceding calendar year.

COUNT 1

Respondent was required to file a 2001 annual SEI by April 2, 2002, since April 1, 2002 fell on a holiday that year.

Respondent failed to file a 2001 annual SEI by the April 2, 2002 due date, in violation of section 87203.

On April 23, 2002, Fair Political Practices Commission ("FPPC") Staff Services Analyst Cyndi Glaser sent a letter to Respondent, requesting that she file her 2001 annual SEI as soon as possible. Respondent did not respond to this letter.

On May 31, 2002, Ms. Glaser sent a second letter to Respondent, advising her that her 2001 annual SEI remained past due, and that if she failed to file the delinquent statement within ten days, the matter would be referred to the Enforcement Division. When the statement was not filed, the matter was referred to the Enforcement Division.

On Dec. 18, 2003, Respondent filed her 2001 annual SEI.

COUNT 2

Respondent was required to file a 2002 annual SEI by April 1, 2003.

Respondent failed to file a 2002 annual SEI by the April 1, 2003 due date, in violation of section 87203.

On April 30, 2003, Ms. Glaser sent a letter to Respondent, requesting that she file her 2002 annual SEI as soon as possible. Respondent did not respond to this letter.

On June 4, 2003, Ms. Glaser sent a second letter to Respondent, advising her that her 2002 annual SEI remained past due, and that if she failed to file the delinquent statement within ten days, the matter would be referred to the Enforcement Division. When the statement was not filed, the matter was referred to the Enforcement Division.

² Regulation 18116

On Dec. 18, 2003, Respondent filed her 2002 annual SEI.

ADDITIONAL INFORMATION

Respondent was delinquent in filing her assuming office SEI. On July 31, 2000, Respondent was assessed a \$100 late filing fee by the City Clerk, which she paid on September 5, 2000. This matter was not referred to the Enforcement Division.

Respondent was also delinquent in filing her 2000 annual SEI.

Respondent was referred to the Enforcement Division in 2001 regarding her failure to file a 2000 annual SEI. Staff Services Analyst Bonita Kwong sent Respondent three notices about her delinquent filing, including a notice of potential prosecution. After being contacted by Commission Investigator Dan Schek of the Enforcement Division, Respondent filed her 2000 annual SEI on August 20, 2001, over four months late. The Enforcement Division took no further action on that referral.

CONCLUSION

This matter consists of two counts of violating section 87203, which carry a maximum administrative penalty of Ten Thousand Dollars (\$10,000).

Respondent has an established history of failing to file her SEI's in a timely manner, as addressed above. Due to Respondent's adverse filing history, it was not appropriate to apply the SEI Expedited Procedures in this matter.

The typical stipulated administrative penalty resolved outside of the SEI Expedited Procedure, for a respondent who fails to timely file a SEI for three consecutive years, and who cooperates with reaching an early resolution of the case, ranges between \$700 and \$1,000 per count. Respondent's delinquent filing history is an aggravating factor in this case, and therefore an administrative penalty approximating the higher end of the penalty range is appropriate.

The facts of this case therefore justify imposition of the agreed-upon penalty of Two Thousand Dollars (\$2,000).